



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

NOV 13 2014

Ref: 8ENF-W-NP

CERTIFIED MAIL #
RETURN RECEIPT REQUESTED

Mr. Alex Moreno, Project Manager
Panther Development Investments, LLC
6401 Congress Avenue, Suite 250
Boca Raton, Florida 33487

Re: Letter of Potential Violation of the Clean Water Act

Dear Mr. Moreno:

This letter concerns the apparent discharge of stormwater into Lake Sakakawea on or from property owned, controlled, and/or operated by Panther Development Investments, LLC at the White Oaks Trailer Park and Black Eagle Estates in Mandaree, North Dakota. Based on our review of all information currently in our possession, the United States Environmental Protection Agency (EPA) has information indicating that Panther Development Investments, LLC may be in violation of the Clean Water Act (CWA). The CWA requires that an authorizing permit be obtained from the EPA prior to the discharge of stormwater associated with industrial activity, directly or indirectly into waters of the United States. See 33 U.S.C. §§ 1311 and 1342. As defined under the federal regulations at 40 C.F.R. § 122.2, waters of the United States include certain surface waters and wetlands.

On August 28, 2014, the EPA conducted a site inspection of the White Oaks Trailer Park and observed sediment accumulation, which appeared to be deposited by flowing water leaving the site to the south due to a lack of stormwater best management practices (BMPs). On August 28, 2014, the EPA also conducted a site inspection of the Black Eagle Estates and similarly observed a lack of stormwater BMPs. A copy of the inspection reports and related documents are enclosed. These construction activities apparently were performed without authorization by a permit issued by the EPA and may have impacted a water of the United States. If this is the case, you would be in violation of the CWA, 33 U.S.C. §§ 1311 and 1342.

The EPA is in the process of making a final determination as to whether you are in violation of the CWA. The EPA would like to consider any information that you believe demonstrates that the description above is incorrect or that the activities described above do not constitute a violation of the CWA. This may include such information as a permit, a permit application and the date it was submitted, or a stormwater pollution prevention plan (SWPPP) and any other evidence of compliance with a permit.

If you would like this information to be considered by the EPA prior to the EPA making a final determination, please provide such information within 30 days of receipt of this letter to Emilio Llamozas at the address below.

Emilio Llamozas (8ENF-W-NP)
U.S. EPA Region 8
1595 Wynkoop Street
Denver, CO 80202-1129
Email: llamozas.emilio@epa.gov

Please note that the voluntary submission of this information does not preclude the EPA's authority to issue a request for information to you pursuant to the CWA, 33 U.S.C. § 1318.

The EPA invites you to discuss this matter prior to its making a final determination. If it is determined that you are not responsible for any violation, no further action will be required. If the EPA makes a final determination that you are liable for a CWA violation, the EPA, using its authority under the CWA, 33 U.S.C. § 1319, may issue an order to you requiring that you come into compliance with the CWA, and/or assessing a penalty. Prior to issuance of an order, the EPA will be open to discussing the terms of compliance and/or penalties with you in order to reach a mutually acceptable agreement. The terms of the agreement, signed by both parties, will be entered into an administrative order on consent (AOC) or, if it involves a penalty, a combined complaint and consent agreement (CCCA). The AOC or CCCA will provide that you waive the right to contest the AOC or CCCA and that you acknowledge that the EPA has authority to issue the AOC or CCCA. You need not admit liability in the AOC or CCCA. Alternatively, you may decline to enter into early discussions with the EPA. If the EPA makes a finding of liability and unilaterally issues an order to you, you may contest the order through a formal adjudicative process.

If you are interested in entering into early discussions with the EPA, or have questions regarding this letter of potential violation, please contact Emilio Llamozas within 30 days of receipt of this letter. If you are represented by counsel, you may have your attorney contact the EPA enforcement counsel Abigail Dean at 303-312-6106 or dean.abigail@epa.gov.

As stated above, the CWA requires that operators such as Panther Development Investments, LLC obtain a permit from the EPA prior to discharging stormwater into waters of the United States. The applicable permit that covers discharges of stormwater from construction activity is the National Pollutant Discharge Elimination System General Permit for Discharges from Construction Activities. The web address for information regarding the permit, including application and compliance requirements, is <http://water.epa.gov/polwaste/npdes/stormwater/EPAs-Electronic-Construction-General-Permit-Notice-of-Intent-eNOI-Home-Page.cfm>. The application for the permit requires you to develop a SWPPP and site map prior to submitting the application. Please contact Greg Davis, Stormwater Coordinator for Region 8 at 303-312-6314 if you have questions regarding the permit or permit application.

The Small Business Regulatory Enforcement and Fairness Act (SBREFA) may apply to you. Enclosed is an information sheet, U.S. EPA Small Business Resources, containing information on compliance assistance resources and tools available to small businesses. SBREFA does not eliminate your responsibility to comply with the CWA.

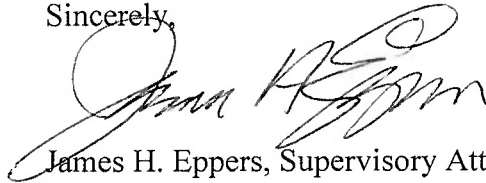
We appreciate your prompt attention to this matter.

Sincerely,



Gwenette C. Campbell, Unit Chief
NPDES Enforcement Program
Office of Enforcement, Compliance, and
Environmental Justice

Sincerely,



James H. Eppers, Supervisory Attorney
Regulatory Enforcement Unit
Legal Enforcement Program
Office of Enforcement, Compliance, and
Environmental Justice

Enclosures

1. Inspection reports (EPA Forms 3560, Inspection Checklists, Findings and Corrective Actions and photologs)
2. SBREFA Information Sheet

cc: Mr. Edmund Baker, Environmental Director
Three Affiliated Tribes



United States Environmental Protection Agency
Washington, D.C. 20460

Water Compliance Inspection Report

Section A: National Data System Coding (i.e. PCS)

Transaction Code	NPDES	yr/mo/day	Inspection Type	Inspector	Fac Type
1 <input type="text" value="N"/> 2 <input type="text" value="5"/> 3 <input type="text" value="U"/> <input type="text" value="N"/> <input type="text" value="P"/> <input type="text" value="E"/> <input type="text" value="R"/> <input type="text" value="M"/> <input type="text" value="I"/> <input type="text" value="T"/> <input type="text" value="E"/> 11	12 <input type="text" value="1"/> <input type="text" value="4"/> <input type="text" value="0"/> <input type="text" value="8"/> <input type="text" value="2"/> <input type="text" value="8"/> 17	18 <input type="text" value="J"/>	19 <input type="text" value="R"/>	20 <input type="text" value="2"/>	
Remarks					
21 <input type="text" value="S"/> <input type="text" value="E"/> <input type="text" value="E"/> <input type="text" value="A"/> <input type="text" value="T"/> <input type="text" value="T"/> <input type="text" value="A"/> <input type="text" value="C"/> <input type="text" value="H"/> <input type="text" value="E"/> <input type="text" value="D"/> <input type="text" value="R"/> <input type="text" value="E"/> <input type="text" value="P"/> <input type="text" value="O"/> <input type="text" value="R"/> <input type="text" value="T"/> 66					
Inspection Work Days	Facility Self-Monitoring Evaluation Rating	BI	QA	Reserved	
67 <input type="text" value="1"/> <input type="text" value="1"/> 69	70 <input type="text" value="1"/>	71 <input type="text" value="1"/>	72 <input type="text" value="1"/>	73 <input type="text" value="1"/> 74	75 <input type="text" value="1"/> <input type="text" value="1"/> <input type="text" value="1"/> <input type="text" value="1"/> 80

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number)	Entry Time/Date	Permit Effective Date
White Oaks Trailer Park	8/28/14 6:10 PM	N/A
Ridge Road	Exit Time/Date	Permit Expiration Date
Mandaree, ND 58757	8/28/14 6:35 PM	N/A
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Numbers	Other Facility Data (e.g., SIC, NAICS, and other descriptive information)	
Alex Moreno / Project Manager / Panther Development Investments, LLC / 561-314-0140	Latitude: 47.74447° N Longitude: 102.66753° W	
Name, Address of Responsible Official/Title/Phone and Fax Number	SIC: 1521 Single Family Houses	
Alex Moreno / Project Manager / 561-314-0140	General Permit Number: NDR120001	
Panther Development Investments, LLC	Region 8 Priority: Direct Implementation	
6401 Congress Avenue, Suite 250	Contacted <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Boca Raton, Florida 33487		

Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

<input type="checkbox"/> Permit	<input type="checkbox"/> Self-Monitoring Program	<input type="checkbox"/> Pretreatment <input type="checkbox"/> MS4
<input type="checkbox"/> Records/Reports	<input type="checkbox"/> Compliance Schedule	<input type="checkbox"/> Pollution Prevention
<input checked="" type="checkbox"/> Facility Site Review	<input type="checkbox"/> Laboratory	<input checked="" type="checkbox"/> Storm Water
<input type="checkbox"/> Effluent/Receiving Waters	<input type="checkbox"/> Operations & Maintenance	<input type="checkbox"/> Combined Sewer Overflow
<input type="checkbox"/> Flow Measurement	<input type="checkbox"/> Sludge Handling/Disposal	<input type="checkbox"/> Sanitary Sewer Overflow

Section D: Summary of Findings/Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes	SEV Description
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Phone and Fax Numbers	Date
Emilio Llamozas	EPA 1595 Wynkoop St Denver, CO 80202 303-312-6407	10/9/14
Monia Ben-Khaled	EPA 1595 Wynkoop St Denver, CO 80202 303-312-6209	10-9-14
QA Reviewer - Stephanie DeJong	EPA 1595 Wynkoop St Denver, CO 80202 303-312-6362	10/20/14

INSTRUCTIONS

Section A: National Data System Coding (i.e., PCS)

Column 1: Transaction Code: Use N, C, or D for New, Change, or Delete. All inspections will be *new* unless there is an error in the data entered.

Columns 3-11: NPDES Permit No. Enter the facility's NPDES permit number - third character in permit number indicates permit type for U=unpermitted, G=general permit, etc.. (Use the Remarks columns to record the State permit number, if necessary.)

Columns 12-17: Inspection Date. Insert the date entry was made into the facility. Use the year/month/day format (e.g., 04/10/01 = October 01, 2004).

Column 18: Inspection Type*. Use one of the codes listed below to describe the type of inspection:

A Performance Audit	U IU Inspection with Pretreatment Audit	! Pretreatment Compliance (Oversight)
B Compliance Biomonitoring	X Toxics Inspection	@ Follow-up (enforcement)
C Compliance Evaluation (non-sampling)	Z Sludge - Biosolids	{ Storm Water-Construction-Sampling
D Diagnostic	# Combined Sewer Overflow-Sampling	} Storm Water-Construction-Non-Sampling
F Pretreatment (Follow-up)	\$ Combined Sewer Overflow-Non-Sampling	: Storm Water-Non-Construction-Sampling
G Pretreatment (Audit)	+ Sanitary Sewer Overflow-Sampling	~ Storm Water-Non-Construction-Non-Sampling
I Industrial User (IU) Inspection	& Sanitary Sewer Overflow-Non-Sampling	< Storm Water-MS4-Sampling
J Complaints	\ CAFO-Sampling	- Storm Water-MS4-Non-Sampling
M Multimedia	= CAFO-Non-Sampling	> Storm Water-MS4-Audit
N Spill	2 IU Sampling Inspection	
O Compliance Evaluation (Oversight)	3 IU Non-Sampling Inspection	
P Pretreatment Compliance Inspection	4 IU Toxics Inspection	
R Reconnaissance	5 IU Sampling Inspection with Pretreatment	
S Compliance Sampling	6 IU Non-Sampling Inspection with Pretreatment	
	7 IU Toxics with Pretreatment	

Column 19: Inspector Code. Use one of the codes listed below to describe the *lead agency* in the inspection.

A — State (Contractor)	O — Other Inspectors, Federal/EPA (Specify in Remarks columns)
B — EPA (Contractor)	P — Other Inspectors, State (Specify in Remarks columns)
E — Corps of Engineers	R — EPA Regional Inspector
J — Joint EPA/State Inspectors—EPA Lead	S — State Inspector
L — Local Health Department (State)	T — Joint State/EPA Inspectors—State lead
N — NEIC Inspectors	

Column 20: Facility Type. Use one of the codes below to describe the facility.

- 1 — Municipal. Publicly Owned Treatment Works (POTWs) with 1987 Standard Industrial Code (SIC) 4952
- 2 — Industrial. Other than municipal, agricultural, and Federal facilities.
- 3 — Agricultural. Facilities classified with 1987 SIC 0111 to 0971.
- 4 — Federal. Facilities identified as Federal by the EPA Regional Office.
- 5 — Oil & Gas. Facilities classified with 1987 SIC 1311 to 1389.

Columns 21-66: Remarks. These columns are reserved for remarks at the discretion of the Region.

Columns 67-69: Inspection Work Days. Estimate the total work effort (to the nearest 0.1 work day), up to 99.9 days, that were used to complete the inspection and submit a QA reviewed report of findings. This estimate includes the accumulative effort of all participating inspectors; any effort for laboratory analyses, testing, and remote sensing; and the billed payroll time for travel and pre and post inspection preparation. This estimate does not require detailed documentation.

Column 70: Facility Evaluation Rating. Use information gathered during the inspection (regardless of inspection type) to evaluate the quality of the facility self-monitoring program. Grade the program using a scale of 1 to 5 with a score of 5 being used for very reliable self-monitoring programs, 3 being satisfactory, and 1 being used for very unreliable programs.

Column 71: Biomonitoring Information. Enter D for static testing. Enter F for flow through testing. Enter N for no biomonitoring.

Column 72: Quality Assurance Data Inspection. Enter Q if the inspection was conducted as followup on quality assurance sample results. Enter N otherwise.

Columns 73-80: These columns are reserved for regionally defined information.

Section B: Facility Data

This section is self-explanatory except for "Other Facility Data," which may include new information not in the permit or PCS (e.g., new outfalls, names of receiving waters, new ownership, other updates to the record, SIC/NAICS Codes, Latitude/Longitude).

Section C: Areas Evaluated During Inspection

Summary of Findings and Corrective Actions

Facility: White Oaks Trailer Park
Permit #: Unpermitted
Inspection Date: 08/28/2014

Finding	Permit Requirements, Additional Information Requested and Corrective Actions
<p>Panther Development Investments, LLC did not obtain permit coverage for the White Oaks Trailer Park site under the Federal Stormwater General Permit for Construction Activities (Permit Number NDR12000I). The site disturbed approximately 8 acres. There were no stormwater structural best management practices (BMPs) at the site. A review of the rainfall recorded at the Keene 3 S, North Dakota weather station from the NOAA website was conducted. The weather station's rain-gage reported eighteen precipitation events over 0.25 inches from April 28, 2014 to August 28, 2014. There was evidence of discharge without a permit at the site as sediment accumulation, which appeared to be deposited by flowing water, was observed on the south side of the site (photo 224).</p>	<p>Under the provisions of the Clean Water Act, as amended (33 U.S.C. 1251 et. seq.; the Act), federal law prohibits stormwater discharges from certain construction activities to waters of the U.S. unless that discharge is covered under a National Pollutant Discharge Elimination System (NPDES) permit. Operators of construction sites where one or more acres are disturbed, smaller sites that are part of a larger common plan of development or sale where there is a cumulative disturbance of at least one acre, or any other site specifically designated by the Director, must submit an NOI to obtain coverage under an NPDES general permit.</p> <p>The Federal Stormwater General Permit (permit) cover page states, "In compliance with the provisions of the Clean Water Act, 33 U.S.C. §1251 et. seq., (hereafter CWA or the Act), as amended by the Water Quality Act of 1987, P.L. 100-4, "operators" of construction activities (defined in Part 1.1.a and Appendix A) that meet the requirements of Part 1.1 of this National Pollutant Discharge Elimination System (NPDES) general permit, are authorized to discharge pollutants in accordance with the effluent limitations and conditions set forth herein. Permit coverage is required from the "commencement of earth-disturbing activities" (see Appendix A) until "final stabilization" (see Part 2.2)."</p> <p>Part 1.4 of the permit states, "To be covered under this permit, you must submit to EPA a complete and accurate NOI prior to commencing construction activities. The NOI certifies to EPA that you are eligible for coverage according to Part 1.1 and 1.2, and provides information on your construction operation and discharge."</p> <p>Part 7.1.1 of the permit states, "All operators associated with a construction project to be covered under this permit must develop a SWPPP. You are required to develop your site's SWPPP prior to submitting your NOI. At a minimum, your SWPPP must include the information required in Part 7.2 and as specified in other parts of the permit. You must also update the SWPPP as required in Part 7.4."</p>

Finding	Permit Requirements, Additional Information Requested and Corrective Actions
	<p>Appendix B.8 of the Federal Stormwater Construction Permit (permit) states that the permit covers, "Indian country within the State of North Dakota."</p> <p><u>Corrective Actions:</u> Prepare a SWPPP in accordance with permit requirements and then submit an NOI for coverage under the permit. Provide a copy of the SWPPP and NOI to the EPA and the Three Affiliated Tribes Environmental Department. Comply with the requirements of the permit, which includes, but is not limited to implementing and maintaining erosion and sediment controls, stabilization, pollution prevention techniques, and conducting and documenting self-inspections of the site.</p> <p>The EPA's Electronic Construction General Permit Notice of Intent (eNOI) webpage can be found at: <u>http://cfpub.epa.gov/npdes/stormwater/cgpenoi.cfm</u>.</p> <p>The EPA's Federal Stormwater Construction General Permit can be found at the webpage below. Coverage under the permit does not begin until 14 days after submitting the NOI.</p> <p><u>http://water.epa.gov/polwaste/npdes/stormwater/upload/cgp2012_finalpermit.pdf</u></p>

Federal NPDES Storm Water Inspection - Construction

National Database Information	
Inspection Date: 8/28/14	Inspection Type: Stormwater Construction
Entry Time: 6:10 pm	Exit Time: 6:35 pm
NPDES ID Number: Unpermitted site	
Inspector: Emilio Llamozas	EPA
Inspector: Monia Ben-Khaled	EPA

Facility Location Information (Name/Location/ Mailing Address)	
Site/Facility Location: White Oaks Trailer Park Ridge Road Mandaree, ND 58757	Mail Report to: Alex Moreno / Project Manager Panther Development Investments, LLC 6401 Congress Avenue, Suite 250 Boca Raton, Florida 33487

Contact Information		
	Name(s)/Title	Telephone
Facility Contacts: <i>(indicate primary lead and present during inspection)</i>	Alex Moreno / Project Manager / Panther Development Investments, LLC / not present during the inspection	561-314-0140
Person/Company meeting definition of "Operator" per the CGP Appendix - A3	Alex Moreno / Project Manager / Panther Development Investments, LLC	561-314-0140
Authorized Official(s) (Per NOI or SWPPP?)	The site did not submit a Notice of Intent (NOI).	

Permit Information			
Is the permit on site and available? The site has not obtained a permit.		Date NOI Submitted: The site has not submitted an NOI.	
Effective Date (is 14 days after EPA acknowledges eNOI receipt, per CGP 1.4.2): The site has not submitted an NOI.		Expiration Date: The site has not submitted an NOI.	
Construction Start Date: unknown	Percent complete: unknown	Estimated Completion Date: unknown	
Disturbed Area: Approximately 8 acres	Total Project Area: Approximately 8 acres	Latitude: 47.74447° N	Longitude: 102.66753° W
Receiving Water(s): Boggy Creek, which flows to Lake Sakakawea			
If applicable, is waiver certification & approval on file? Not Applicable			
Regulatory Inspector's source of information: GIS maps and EPA's stormwater construction NOI website			

Site Information							
Nature of Project	Residential	Commercial/Industrial	Roadway	Private	Federal	State/Municipal	Other
Construction Stage	Clearing/Grubbing	Rough Grading	Infrastructure	Building Const.	Final Grading	Final Stabilization	

Federal NPDES Storm Water Inspection - Construction

Site Description and Inspection Details

The inspection was conducted at the White Oaks Trailer Park (the site) to determine Panther Developments Investments, LLC's compliance with the Federal stormwater construction general permit requirements. The inspection was unannounced. On August 28, 2014, at approximately 6:10 pm, the Environmental Protection Agency (EPA) inspectors, Emilio Llamozas and Monia Ben-Khaled, stopped at the site. The site was unmanned.

The inspectors took photos of the site. According to measurements from GIS maps, the site was approximately 8 acres with 8 acres of land disturbed. The project consisted of grading the area and adding infrastructure for the White Oaks Trailer Park. Based on the slope of the site, the stormwater from the site flows to the southeast. Photos were taken of the disturbed area (photos 221 to 224). Stormwater from the site flows to Boggy Creek, which flows to Lake Sakakawea. There was nobody onsite at the time of the inspection, so it is unknown when the project commenced construction. There were no stormwater structural best management practices (BMPs) at the site. The site has not submitted a notice of intent (NOI) according to the EPA's stormwater construction NOI website.

After the inspection, a review of the rainfall recorded at the Keene 3 S, North Dakota weather station (closest weather station 16 miles away from site) from the NOAA website was conducted. The weather station's rain-gage reported eighteen precipitation events over 0.25 inches from April 28, 2014 to August 28, 2014.

- April 28, 2014 at 0.60 inches;
- May 6, 2014 at 0.29 inches;
- May 7, 2014 at 0.35 inches;
- May 19, 2014 at 0.31 inches;
- May 28, 2014 at 0.52 inches;
- June 11, 2014 at 0.28 inches;
- June 18, 2014 at 0.55 inches;
- June 28, 2014 at 0.58 inches;
- June 29, 2014 at 0.32 inches;
- June 30, 2014 at 0.47 inches;
- July 1, 2014 at 0.37 inches;
- July 24, 2014 at 0.30 inches;
- July 25, 2014 at 0.40 inches;
- July 31, 2014 at 0.25 inches;
- August 5, 2014 at 0.31 inches;
- August 16, 2014 at 0.65 inches;
- August 23, 2014 at 0.67 inches; and
- August 24, 2014 at 0.37 inches.

2012 CGP Permit Eligibility

<u>General</u>			Notes:
Is the construction site in an area with EPA Permitting Authority? (App. B. - Region 8: Colorado Federal Facilities and Tribal Lands)	Y		The construction site is located in the Fort Berthold reservation.

Federal NPDES Storm Water Inspection - Construction

Does the site discharge to impaired waters for sediment, or sediment related parameters (i.e., TSS or turbidity) or nutrients (i.e., phosphorus/nitrogen) CGP 3.2, and then evaluate if information required by CGP 3.2.1 for to be include in NOI and the CGP 3.2.2 specific requirements.		N	
Is the site considered a "new source", with the reasonable potential to cause or contribute to an excursion above WQ standards; if so EPA would require an individual permit or further appropriate controls? CGP 1.2.2		N	
Does the operator use or plan to use Cationic Treatment Chemicals? If so, did the operator receive authorization from the Regional Office (place information in notes)? CGP 1.2.4		N	

SWPPP Contents Review			
General			Notes:
Is there a SWPPP? CGP 7.1.1		N	The site had not submitted an NOI to be covered under the stormwater construction permit at the time of the inspection.
Is a copy of the SWPPP onsite? (SWPPP Date) CGP 7.1.1 and 7.3		N	
Does the SWPPP contain the following: a) A copy of NOI submitted with any related documents; b) A copy of acknowledgement letter from NOI processing center; and c) A copy of this permit (can be an electronic copy). CGP and 7.2.1 and 7.2.16		N	
SWPPP completed prior to NOI submission? CGP 7.1.1		N	
Does the SWPPP identify the storm water team (by name or position)? CGP 7.2.1		N	
Does each member of the storm water team have ready access to: a) A copy of the portions of the permit (pertaining to them), b) The most updated copy of the SWPPP, and		N	

Federal NPDES Storm Water Inspection - Construction

c) Other relevant documents that must be kept with the SWPPP? CGP 7.2.1			
SWPPP identifies all operators and their areas of control? CGP 7.2.4.		N	
Does the SWPPP contain, or does the operator have a copy of permit language? CGP 7.2.1		N	
Did the operator(s) provide training to the staff below, prior to the commencement of earth-disturbing activities or pollutant-generating activities? CGP 7.2.13 a) Personnel who are responsible for the design, installation, maintenance, and/or repair of stormwater controls; b) Personnel responsible for the application and storage of treatment chemicals (if applicable); c) Personnel who are responsible for conducting inspections as required in CGP 4.1.1; and d) Personnel who are responsible for taking corrective actions as required in CGP Part 5. CGP 6 for minimum training requirements.		N	
Does the SWPPP contain the following documentation related to Federal requirements? CGP 7.2.14 a) Historic Preservation Documentation b) Endangered Species Documentation? c) Safe Drinking Water Act UIC for certain controls (as applicable)? d) TMDL Documentation?		N	
Did all "operators" sign/certify the SWPPP? CGP 7.2.15		N	
Was the SWPPP modified within 7 days in response to: a change in operators, operational control, inspections or investigations determine SWPPP modifications are necessary, or change in chemical treatment rate? Does it include: date of modification, authorization of authorized official, and a brief summary of change? CGP 7.4		N	
Nature of Construction Activities: Site Description (per CGP 7.2.2) includes:			

Federal NPDES Storm Water Inspection - Construction

a) Total area of site and total area to be disturbed (in acres)?		N	
b) Construction support activities covered by this permit (e.g., material storage areas, asphalt batch plants, etc) CGP 1.3		N	
c) Maximum area expected to be disturbed at any one time.		N	
Sequence and Estimated Dates of Construction Activities (CGP 7.2.5); the SWPPP must include (<i>when unforeseen site conditions necessitate change in timing/schedules this should be documented</i>):			
a) Installation of stormwater control measures, and when they will be made operational, (with explanation of sequence / schedule complies with CGP 2.1.1.3a as well as any departures from manufacturer specs pursuant to Part 2.1.1.3b;		N	
b) Commencement and duration of earth-disturbing activities;		N	
c) Cessation, temporarily or permanently, of construction activities on the site, or in designated portions of the site;		N	
d) Final or temporary stabilization of areas of exposed soil. The dates for stabilization must reflect the applicable deadlines to which you are subject in Part 2.2.1; and (CGP 2.2.1)		N	
e) Removal of temporary stormwater conveyances and other stormwater control measures, removal of construction equipment and vehicles, and cessation of any pollutant-generating activities.		N	
Does SWPPP contain a list and description of all the pollutant-generating activities? CGP 7.2.7.1		N	
Does the SWPPP contain an inventory of pollutants or pollutant constituents (e.g., sediment, fertilizers and/or pesticides, paints, solvents, fuels) associated with each pollutant generating activity, which could be exposed to rainfall, or snowmelt, and could be discharged from your		N	

Federal NPDES Storm Water Inspection - Construction

construction site. CGP 7.2.1.2			
Does the SWPPP identify all sources of allowable non-stormwater discharges listed in CGP 1.3d?		N	
Does the SWPPP contain the required <i>Buffer Documentation</i> related to CGP 2.1.2.1 for surface waters located with 50 feet of any earth disturbances? CGP 7.2.9		N	
Does the SWPPP contain the following Description of Stormwater Control Measures (CGP 7.2.10), including:			
a) Does the SWPPP describe all stormwater control measures that are or will be installed and maintained at the site to meet the requirements of Part 2?		N	
b) Does the SWPPP describe the use of treatment chemicals (e.g., polymers, flocculants, or other) CGP 7.2.10.2	Unknown		
c) Does the SWPPP describe the stabilization practices; (i.e., the specific vegetative and/or non-vegetative practices that will be used to comply with the requirements in Part 2.2)? CGP 7.2.10.3		N	
Does the SWPPP describe procedures the operator will follow to prevent and respond to spills and leaks? CGP 7.2.11.1		N	
Does the SWPPP describe procedures to handle and dispose of all wastes generated at the site (e.g., C&D debris, sediment removed from the site, construction and domestic waste, hazardous or toxic waste, and sanitary waste)? CGP 7.2.11.2		N	
Site Map (per CGP 7.2.6) includes boundaries of the property and where construction activities will occur, including:		N	
a) Locations where earth-disturbing activities will occur, noting any phasing of construction activities;		N	
b) Approximate slopes before and after major grading activities. Note areas of steep slopes, as defined in Appendix A;		N	

Federal NPDES Storm Water Inspection - Construction

c) Locations where sediment, soil, or other construction materials will be stockpiled;		N	
d) Locations of any crossings of surface waters;		N	
e) Designated points on the site where vehicles will exit onto paved roads;		N	
f) Locations of structures and other impervious surfaces upon completion of construction; and		N	
g) Locations of construction support activity areas covered by this permit (CGP 1.3.c).		N	
Locations of all surface waters, including wetlands, that exist within or in the immediate vicinity of the site. Indicate which waterbodies are listed as impaired? CGP 7.2.6.2		N	
The boundary lines of any natural buffers provided consistent with Part 2.1.2.1a CGP 7.2.6.3		N	
Areas of federally-listed critical habitat for endangered or threatened species? CGP 7.2.6.4		N	
Topography of the site, existing vegetative cover (e.g., forest, pasture, pavement, structures), and drainage pattern(s) of stormwater and authorized non-stormwater flow onto, over, and from the site property before and after major grading activities CGP 7.2.6.5		N	
Stormwater and allowable non-stormwater discharge locations, including: a) Locations of any storm drain inlets on the site and in the immediate vicinity of the site; and b) Locations where stormwater or allowable non-stormwater will be discharged to surface waters (including wetlands) on or near the site. CGP 7.2.6.6		N	
Locations of all potential pollutant-generating activities identified in Part 7.2.7 (e.g., paving ops; concrete, paint, and stucco washout and waste disposal; solid waste storage and disposal; and dewatering operations.)		N	

Federal NPDES Storm Water Inspection - Construction

Locations of stormwater control measures; and	N	
Locations where polymers, flocculants, or other treatment chemicals will be used and stored.	Unknown	

SWPPP Operator Conducted Inspections			Notes:
Does the SWPPP identify personnel responsible for conducting inspections? CGP 7.2.12.1	N		The site had not submitted an NOI to be covered under the stormwater construction permit at the time of the inspection.
Does the SWPPP contain a copy of the inspection or maintenance checklist to be used on site?	N		
Does the SWPPP identify the location of the rain-gauge/weather station used for the site? CGP 4.1.2.2 or CGP 4.1.3	N		
Does the SWPPP identify the inspection schedule? (Every 7 days, or every 14 days within 24 hours of a rain event greater than 0.25") CGP 4.1.2 (note reductions in frequency are available per the CGP 4.1.4, CGP 7.2.12.3 for SWPPP documentation for reduce frequency)	N		
If the site discharges to sensitive waters, does the frequency meet the requirements of the CGP Sec 4.1.3?	N		
Are the inspections conducted at the specified schedule? (note: it may be easiest if a mini-calendar and local/relevant weather information are used to evaluate frequency)	N		
Inspections performed by authorized and qualified personnel and are the authorization and qualifications in the SWPPP? CGP 4.1.1	N		
Does the inspection form used by the operator contain the required items? a) The inspection date; b) Names and titles of personnel making the inspection; c) A summary of inspection findings, (minimum CGP 4.1.6d) d) Rain gauge/weather-station information if using 14-day inspection frequency and inspection due to 0.25 inch rain-event; and e) If operator determined it was unsafe to inspect – they	N		

Federal NPDES Storm Water Inspection - Construction

SWPPP Operator Conducted Inspections	Notes:
included a description of the reason and location. (CGP 4.1.7)	
Do the inspections include (per CGP 4.1.5) <ul style="list-style-type: none"> a) All Areas that have been cleared, graded, or excavated that are not yet stabilized; b) All stormwater controls installed at the site; c) All material, waste, borrow, or equipment storage/maintenance areas covered by the permit; d) All points of discharge* from the site; and e) All locations where stabilization measures have been implemented? * If a discharge is occurring during the operator's inspection it must be documented in accordance with CGP 4.1.6.6.	N
Did the inspection report identify all incidents of non-compliance observed? CGP 4.1.6	N
Inspection forms signed and certified by authorized personnel? CGP 4.1.7.2	N
Were the following "corrective actions" taken by the operator of the site (CGP 5.1), such as: repair, modify, or replace any stormwater control used at the site; clean up and properly dispose of spills, releases, or other deposits; or remedy a permit violation? If so,	N
a) Were the corrective action(s) taken within the deadlines specified in CGP 5.2? (i.e., reasonable time frame to minimize/prevent discharge)	N
b) For a corrective action not corrected immediately, was it corrected within 7 days? If not, was it documented within 7 days? CGP 5.2.1	N
c) Do the site inspection reports illustrate the operator is required to take has taken the above "corrective action(s)". If so, list the inspection report date(s).	N
d) Was a corrective action report completed within 24 hours that	N

Federal NPDES Storm Water Inspection - Construction

SWPPP Operator Conducted Inspections	Notes:		
contains: the condition identified, the nature of the condition, and the date and time of the condition identified, and how it was identified. CGP 5.4.1			
e) Was a corrective action report completed within 7 days that contains: - Any follow-up actions taken to review the design, installation, and maintenance of stormwater controls, including the dates such actions occurred; - A summary of stormwater control modifications (with schedule/dates) - Notice of whether SWPPP modifications were required. CGP 5.4.2		N	
f) Is SWPPP and site map revised when BMPs added/modified within 7 days after completing corrective action work? CGP 5.2.2		N	
Are corrective action reports signed and certified by authorized personnel? CGP 5.4.3		N	
Does the SWPPP include an authorization letter (if a change was made by person other than NOI authorize official) for the individual making the change to the SWPPP? CGP 7.4.5 and Appendix I, part I.11.2		N	
Have copies of inspection reports/all other documentation been retained as part of the SWPPP for 3 years from date permit coverage expires? CGP 4.1.7.3 and 5.5.4		N	

Federal NPDES Storm Water Inspection - Construction

SWPPP Implementation (Site review)						
<u>Structural and Stabilization Practices</u>						
List and describe structural and stabilization practices The site did not have structural controls (photos 221 to 224).						
	SWPPP / Site Map			Used On-Site		Comments
Silt Fence (perimeter)		N			N	
Buffer controls		N			N	
Silt Fence (other)		N			N	
Storm drain inlet protection		N			N	
Straw Wattles		N			N	
Rock Socks		N			N	
Hay bales		N			N	
Sedimentation pond		N			N	
Outlet protection		N			N	
Rip rap		N			N	
Check dam		N			N	
Diversion structure		N			N	
Vehicle track-out pad		N			N	
Street cleaning		N			N	
Good housekeeping & waste disposal practices		N			N	
Equipment/ maintenance area		N			N	
Concrete or asphalt batch plant		N			N	
Concrete washout area		N			N	
Port-o-lets		N			N	
Existing vegetation		N			N	
Seeding		N			N	
Mulching		N			N	
Geotextiles		N			N	
Sod stabilization		N			N	
Dewatering practices		N			N	

Federal NPDES Storm Water Inspection - Construction

SWPPP Implementation (Site Review)	Notes:	
<p>In this section and as part of the SWPPP review (as a preliminary review) and the field inspection, the inspector will review: required signage, discharge locations, stormwater controls, buffers, perimeter controls, entry control points, stockpiles, dust suppression, inlets, sedimentation ponds, dewatering locations, treatment chemicals (application locations), prohibited discharges (concrete washout, wastewater from washing, spills), equipment fueling and maintenance, washing of equipment, storage, handling and disposal of materials and wastes, spills, and fertilizer (application).</p>		
Did the operator post a sign visible from the public road containing: NPDES Permit number and a contact name and phone number in a font large enough to be readily viewed from a public right-of-way? CGP Sec 1.5	N	
Are stormwater runoff discharges from stormwater controls directed to vegetated areas of the site? CGP 2.1.1.2	N	
Do the above discharges to vegetated areas contain velocity dissipation devices? CGP 2.1.1.2	N	
Are down-gradient stormwater controls installed prior to each phase of earth-disturbance (unless infeasible)? CGP 2.1.1.3.a	N	
Are all the stormwater controls installed according to manufacturer's specifications? CGP 2.1.1.3.b	N/A	The site did not have structural controls (photos 221 to 224).
Are all stormwater controls maintained in proper working order? CGP 2.3.2	N/A	The site did not have structural controls (photos 221 to 224).
From the site review, is the project within 50 feet of a surface water? (note stormwater conveyance channels, inlets, drains, etc. are not included as surface water) CGP 2.1.2	N	
Are perimeter controls installed? CGP 2.1.2.2	N	
<p>Is track-out minimized through:</p> <ul style="list-style-type: none"> a) Vehicles being restricted through designated points; b) Use appropriate stabilization techniques (e.g., VTC pad) c) Where necessary additional controls (e.g., wheel washing, rubber strips, rattle plates); d) Has sediment tracked out been removed by the end of the work day, CGP 2.1.2.3.d 	N	
<p>Stock piled soil and sediment controls must include:</p> <ul style="list-style-type: none"> a) Are piles located outside natural buffers and physically separated from other erosion and 	N	

Federal NPDES Storm Water Inspection - Construction

SWPPP Implementation (Site Review)	Notes:	
sedimentation controls? b) Protection from contact with stormwater using temporary perimeter sediment barrier (e.g., berms, dikes, fiber rolls, silt fence, sandbags, straw bales, etc.); c) Where practical include cover or appropriate temporary stabilization; d) Unless infeasible contain and securely protect from wind. CGP 2.1.2.4		
Has the site minimized dust, through the use of water application or other dust suppression techniques?	Unknown	
Has the site (to all extents practical) minimized the disturbance of steep slopes? CGP 2.1.2.6	N	
Has the site protected the storm drain inlets (if they do not flow to a sedimentation pond first)? CGP 2.1.2.9, <i>note they may be removed in certain conditions.</i>	N	
Has the site (if feasible) preserved the top-soil on the site? CGP 2.1.2.7	Unknown	
Has the site minimized soil compaction in areas where final stabilization or infiltration practices will occur?	Unknown	
If the site uses a sedimentation basin, is it designed/constructed and maintained as required in CGP 2.1.3.2?	N/A	There was no sediment basin at the time of the inspection.
If the site uses treatment chemicals are they used in accordance with CGP 2.1.3.3?	Unknown	
If the site uses dewatering practices are they conducted in accordance with 2.1.3.4?	Unknown	
Are stabilization practices for the site conducted in accordance with CGP 2.2?	Unknown	The site was not stabilized at the time of the inspection (photos 221 to 224).
Were any prohibited discharges observed during the inspection? CGP 2.3.1	N	
Does the site have spill clean-up supplies available on-site? CGP 2.3.3.1	Unknown	
Are spill pans/pads used under leaky equipment/vehicles? CGP 2.3.3.1	Unknown	
Were spills cleaned up immediately using dry-cleanup measures? CGP 2.3.3.1	Unknown	

Federal NPDES Storm Water Inspection - Construction

SWPPP Implementation (Site Review)		Notes:
Is vehicle/equipment washing done in accordance with the CGP? CGP 2.3.3.2	Unknown	
Are materials properly managed and stored on-site? CGP 2.3.3.3	Unknown	
Are fertilizers (containing phosphorus and nitrogen) properly applied to the site? CGP 2.3.5	Unknown	

SWPPP Implementation (Site Review)	
<u>Stabilization Practices</u>	
Any unprotected/ exposed slopes/areas without vegetation mulch or matting for more than 14 days after construction activity has ceased? CGP 2.2.1	Unknown. The site was not stabilized at the time of the inspection (photos 221 to 224). It is unknown when construction activity had ceased.
Are stabilization practices properly applied in a timely manner and adequately maintained? CGP 2.2.1	The site was not stabilized at the time of the inspection (photos 221 to 224).

<u>Structural Practices</u>	
Are structural controls properly installed and maintained? CGP 2.3.2	The site did not have structural controls (photos 221 to 224).
Discuss how the structural controls are, or are not appropriate for the site	The site did not have structural controls (photos 221 to 224).



Photographs for White Oaks Trailer Park

Inspection Type: Stormwater

Photo Number: 221

Photo Date/Time: 8/28/2014 6:14:00 PM

Photographer: E. Llamozas

The direction of the photo is North.

Description:

Overview of graded site. Photo is facing north. Note that the site had been graded and infrastructure had been installed. Note lack of stormwater BMPs.



Photo Number: 222

Photo Date/Time: 8/28/2014 6:17:32 PM

Photographer: E. Llamozas

The direction of the photo is North.

Description:

Stormwater outlet on south side of site. Photo is facing north. Note erosion and lack of stormwater BMPs.





Photographs for White Oaks Trailer Park

Inspection Type: Stormwater

Photo Number: 223

Photo Date/Time: 8/28/2014 6:17:56 PM

Photographer: E. Llamozas

The direction of the photo is South.

Description:

Stormwater outlet shown in photo 222.

Photo is facing south. Note erosion and lack of stormwater BMPs.



Photo Number: 224

Photo Date/Time: 8/28/2014 6:20:08 PM

Photographer: E. Llamozas

The direction of the photo is East.

Description:

Sediment accumulation which appeared to be deposited by flowing water on south side of the site. This area was below the outlet shown in photos 222 and 223. Photo is facing east.





United States Environmental Protection Agency
Washington, D.C. 20460

Water Compliance Inspection Report

Section A: National Data System Coding (i.e. PCS)

Transaction Code	NPDES	yr/mo/day	Inspection Type	Inspector	Fac Type
1 <input type="text" value="N"/> 2 <input type="text" value="5"/> 3 <input type="text" value="U"/> <input type="text" value="N"/> <input type="text" value="P"/> <input type="text" value="E"/> <input type="text" value="R"/> <input type="text" value="M"/> <input type="text" value="I"/> <input type="text" value="T"/> <input type="text" value="E"/> 11	12 <input type="text" value="1"/> <input type="text" value="4"/> <input type="text" value="0"/> <input type="text" value="8"/> <input type="text" value="2"/> <input type="text" value="8"/> 17	18 <input type="text" value="J"/>	19 <input type="text" value="R"/>	20 <input type="text" value="2"/>	
Remarks					
21 <input type="text" value="S"/> <input type="text" value="E"/> <input type="text" value="E"/> <input type="text" value="A"/> <input type="text" value="T"/> <input type="text" value="T"/> <input type="text" value="A"/> <input type="text" value="C"/> <input type="text" value="H"/> <input type="text" value="E"/> <input type="text" value="D"/> <input type="text" value="R"/> <input type="text" value="E"/> <input type="text" value="P"/> <input type="text" value="O"/> <input type="text" value="R"/> <input type="text" value="T"/> 66					
Inspection Work Days 67 <input type="text" value="1"/> <input type="text" value="1"/> 69	Facility Self-Monitoring Evaluation Rating 70 <input type="text" value="1"/>	BI 71 <input type="text" value="1"/>	QA 72 <input type="text" value="1"/>	Reserved 73 <input type="text" value="1"/> 74 <input type="text" value="1"/> 75 <input type="text" value="1"/> <input type="text" value="1"/> <input type="text" value="1"/> <input type="text" value="1"/> 80	

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number) Black Eagle Estates Mandaree, ND 58757	Entry Time/Date 8/28/14 6:40 PM	Permit Effective Date N/A
	Exit Time/Date 8/28/14 7:00 PM	Permit Expiration Date N/A
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Numbers Alex Moreno / Project Manager / Panther Development Investments, LLC / 561-314-0140	Other Facility Data (e.g., SIC, NAICS, and other descriptive information) Latitude: 47° 44' 20.04" N Longitude: -102° 40' 28.55" W	
Name, Address of Responsible Official/Title/Phone and Fax Number Alex Moreno / Project Manager / 561-314-0140 Panther Development Investments, LLC 6401 Congress Avenue, Suite 250 Boca Raton, Florida 33487	SIC: 1521 Single Family Houses General Permit Number: NDR120001 Region 8 Priority: Direct Implementation	

Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

<input type="checkbox"/> Permit	<input type="checkbox"/> Self-Monitoring Program	<input type="checkbox"/> Pretreatment	<input type="checkbox"/> MS4
<input type="checkbox"/> Records/Reports	<input type="checkbox"/> Compliance Schedule	<input type="checkbox"/> Pollution Prevention	
<input checked="" type="checkbox"/> Facility Site Review	<input type="checkbox"/> Laboratory	<input checked="" type="checkbox"/> Storm Water	
<input type="checkbox"/> Effluent/Receiving Waters	<input type="checkbox"/> Operations & Maintenance	<input type="checkbox"/> Combined Sewer Overflow	
<input type="checkbox"/> Flow Measurement	<input type="checkbox"/> Sludge Handling/Disposal	<input type="checkbox"/> Sanitary Sewer Overflow	
<input type="checkbox"/> Flow Measurement	<input type="checkbox"/> Sludge Handling/Disposal	<input type="checkbox"/> Sanitary Sewer Overflow	

Section D: Summary of Findings/Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes	SEV Description
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	_____

Name(s) and Signature(s) of Lead Inspector(s)	Agency/Office/Phone and Fax Numbers	Date
Monia Ben-Khaled	EPA 1595 Wynkoop St Denver, CO 80202 303-312-6209	10-15-2014
Emilio Llamozas	EPA 1595 Wynkoop St Denver, CO 80202 303-312-6407	10/20/2014
Signature QA Reviewer	Agency/Office/Phone and Fax Numbers	Date
David Gwisdalla	EPA 1595 Wynkoop St Denver, CO 80202 303-312-6193	15 OCT 14

INSTRUCTIONS

Section A: National Data System Coding (i.e., PCS)

Column 1: Transaction Code: Use N, C, or D for New, Change, or Delete. All inspections will be *new* unless there is an error in the data entered.

Columns 3-11: NPDES Permit No. Enter the facility's NPDES permit number - third character in permit number indicates permit type for U=unpermitted, G=general permit, etc.. (Use the Remarks columns to record the State permit number, if necessary.)

Columns 12-17: Inspection Date. Insert the date entry was made into the facility. Use the year/month/day format (e.g., 04/10/01 = October 01, 2004).

Column 18: Inspection Type*. Use one of the codes listed below to describe the type of inspection:

A	Performance Audit	U	IU Inspection with Pretreatment Audit	!	Pretreatment Compliance (Oversight)
B	Compliance Biomonitoring	X	Toxics Inspection	@	Follow-up (enforcement)
C	Compliance Evaluation (non-sampling)	Z	Sludge - Biosolids	{	Storm Water-Construction-Sampling
D	Diagnostic	#	Combined Sewer Overflow-Sampling	}	Storm Water-Construction-Non-Sampling
F	Pretreatment (Follow-up)	\$	Combined Sewer Overflow-Non-Sampling	:	Storm Water-Non-Construction-Sampling
G	Pretreatment (Audit)	+	Sanitary Sewer Overflow-Sampling	~	Storm Water-Non-Construction-Non-Sampling
I	Industrial User (IU) Inspection	&	Sanitary Sewer Overflow-Non-Sampling	<	Storm Water-MS4-Sampling
J	Complaints	\	CAFO-Sampling	-	Storm Water-MS4-Non-Sampling
M	Multimedia	=	CAFO-Non-Sampling	>	Storm Water-MS4-Audit
N	Spill	2	IU Sampling Inspection		
O	Compliance Evaluation (Oversight)	3	IU Non-Sampling Inspection		
P	Pretreatment Compliance Inspection	4	IU Toxics Inspection		
R	Reconnaissance	5	IU Sampling Inspection with Pretreatment		
S	Compliance Sampling	6	IU Non-Sampling Inspection with Pretreatment		
		7	IU Toxics with Pretreatment		

Column 19: Inspector Code. Use one of the codes listed below to describe the *lead agency* in the inspection.

A	State (Contractor)	O	Other Inspectors, Federal/EPA (Specify in Remarks columns)
B	EPA (Contractor)	P	Other Inspectors, State (Specify in Remarks columns)
E	Corps of Engineers	R	EPA Regional Inspector
J	Joint EPA/State Inspectors—EPA Lead	S	State Inspector
L	Local Health Department (State)	T	Joint State/EPA Inspectors—State lead
N	NEIC Inspectors		

Column 20: Facility Type. Use one of the codes below to describe the facility.

- 1 — Municipal. Publicly Owned Treatment Works (POTWs) with 1987 Standard Industrial Code (SIC) 4952.
- 2 — Industrial. Other than municipal, agricultural, and Federal facilities.
- 3 — Agricultural. Facilities classified with 1987 SIC 0111 to 0971.
- 4 — Federal. Facilities identified as Federal by the EPA Regional Office.
- 5 — Oil & Gas. Facilities classified with 1987 SIC 1311 to 1389.

Columns 21-66: Remarks. These columns are reserved for remarks at the discretion of the Region.

Columns 67-69: Inspection Work Days. Estimate the total work effort (to the nearest 0.1 work day), up to 99.9 days, that were used to complete the inspection and submit a QA reviewed report of findings. This estimate includes the accumulative effort of all participating inspectors; any effort for laboratory analyses, testing, and remote sensing; and the billed payroll time for travel and pre and post inspection preparation. This estimate does not require detailed documentation.

Column 70: Facility Evaluation Rating. Use information gathered during the inspection (regardless of inspection type) to evaluate the quality of the facility self-monitoring program. Grade the program using a scale of 1 to 5 with a score of 5 being used for very reliable self-monitoring programs, 3 being satisfactory, and 1 being used for very unreliable programs.

Column 71: Biomonitoring Information. Enter D for static testing. Enter F for flow through testing. Enter N for no biomonitoring.

Column 72: Quality Assurance Data Inspection. Enter Q if the inspection was conducted as followup on quality assurance sample results. Enter N otherwise.

Columns 73-80: These columns are reserved for regionally defined information.

Section B: Facility Data

This section is self-explanatory except for "Other Facility Data," which may include new information not in the permit or PCS (e.g., new outfalls, names of receiving waters, new ownership, other updates to the record, SIC/NAICS Codes, Latitude/Longitude).

Section C: Areas Evaluated During Inspection

Check only those areas evaluated by marking the appropriate box. Use Section D and additional sheets as necessary. Support the findings, as necessary, in a brief narrative report. Use the headings given on the report form (e.g., Permit, Records/Reports) when discussing the areas evaluated during the inspection.

Section D: Summary of Findings/Comments

Briefly summarize the inspection findings. This summary should abstract the pertinent inspection findings, not replace the narrative report. Reference a list of attachments, such as completed checklists taken from the NPDES Compliance Inspection Manuals and pretreatment guidance documents, including effluent data when sampling has been done. Use extra sheets as necessary.

*Footnote: In addition to the inspection types listed above under column 18, a state may continue to use the following wet weather and CAFO inspection types until the state is brought into ICIS-NPDES: K: CAFO, V: SSO, Y: CSO, W: Storm Water 9: MS4. States may also use the new wet weather, CAFO and MS4 inspections types shown in column 18 of this form. The EPA regions are required to use the new wet weather, CAFO, and MS4 inspection types for inspections with an inspection date (DTIN) on or after July 1, 2005.

Summary of Findings and Corrective Actions

Facility: Black Eagle Estates
Permit #: Unpermitted
Inspection Date: 08/28/2014

Findings	Permit Requirements, Additional Information Requested and Corrective Actions
<ol style="list-style-type: none"> 1. Panther Development Investments, LLC did not obtain permit coverage for the Black Eagle Estates construction site under the Federal Stormwater General Permit for Construction Activities (Permit Number NDR12000I). The site disturbed approximately 40 acres. Some stormwater structural best management practices (BMPs) were observed at the site, but appeared to be in need of maintenance. 2. A review of the rainfall recorded at the Keene 3 S, North Dakota weather station from the NOAA website was conducted. The weather station's rain-gage reported eighteen precipitation events over 0.25 inches from April 28, 2014 to August 28, 2014. There was also evidence of discharge without a permit at the site (photo 226). 	<p>Under the provisions of the Clean Water Act, as amended (33 U.S.C. 1251 et. seq.; the Act), federal law prohibits stormwater discharges from certain construction activities to waters of the U.S. unless that discharge is covered under a National Pollutant Discharge Elimination System (NPDES) permit.</p> <p>Operator of construction sites where one or more acres are disturbed, smaller sites that are part of a larger common plan of development or sale where there is a cumulative disturbance of at least one acre, or any other site specifically designated by the Director, must submit an NOI to obtain coverage under an NPDES general permit.</p> <p>The Federal Stormwater General Permit (permit) cover page states, "In compliance with the provisions of the Clean Water Act, 33 U.S.C. §1251 et. seq., (hereafter CWA or the Act), as amended by the Water Quality Act of 1987, P.L. 100-4, "operators" of construction activities (defined in Part 1.1.a and Appendix A) that meet the requirements of Part 1.1 of this National Pollutant Discharge Elimination System (NPDES) general permit, are authorized to discharge pollutants in accordance with the effluent limitations and conditions set forth herein. Permit coverage is required from the "commencement of earth-disturbing activities" (see Appendix A) until "final stabilization" (see Part 2.2)."</p> <p>Part 1.4 of the permit states, "To be covered under this permit, you must submit to EPA a complete and accurate NOI prior to commencing construction activities. The NOI certifies to EPA that you are eligible for coverage according to Part 1.1 and 1.2, and provides information on your construction operation and discharge."</p> <p>Part 7.1.1 of the permit states, "All operators associated with a construction project to be covered under this permit must develop a SWPPP."</p>

Findings	Permit Requirements, Additional Information Requested and Corrective Actions
	<p>You are required to develop your site's SWPPP prior to submitting your NOI. At a minimum, your SWPPP must include the information required in Part 7.2 and as specified in other parts of the permit. You must also update the SWPPP as required in Part 7.4."</p> <p>Appendix B.8 of the Federal Stormwater Construction Permit (permit) states that the permit covers, "Indian country within the State of North Dakota."</p> <p><u>Corrective Actions:</u> Prepare a SWPPP in accordance with permit requirements and then submit an NOI for coverage under the permit. Provide a copy of the SWPPP and NOI to the EPA and the Three Affiliated Tribes Environmental Department.</p> <p>The EPA's Electronic Construction General Permit Notice of Intent (eNOI) Home Page can be found at: http://cfpub.epa.gov/npdes/stormwater/cgpenoi.cfm</p>

Federal NPDES Storm Water Inspection - Construction

The National Database Information	
Inspection Date: 8/28/2014	Inspection Type: Stormwater Construction
Entry Time: 6:40 p.m.	Exit Time: 7:00 p.m.
NPDES ID Number: Unpermitted site	
Inspector: Monia Ben-Khaled	EPA
Inspector: Emilio Llamozas	EPA

Facility Location Information (Name/Location/ Mailing Address)	
Site/Facility Location: Black Eagle Estates Mandaree, ND 58757	Mail Report to: Alex Moreno / Project Manager Panther Development Investments, LLC 6401 Congress Avenue, Suite 250 Boca Raton, Florida 33487

Contact Information		
	Name(s)/Title	Telephone
Facility Contacts: <i>(indicate primary lead and present during inspection)</i>	Alex Moreno / Project Manager / Panther Development Investments, LLC / not present during the inspection	561-314-0140
Person/Company meeting definition of "Operator" per the CGP Appendix - A3	Alex Moreno / Project Manager / Panther Development Investments, LLC	561-314-0140
Authorized Official(s) (Per NOI or SWPPP?)	The site did not submit a Notice of Intent (NOI) and did not have a Stormwater Pollution Prevention Plan (SWPPP).	

Permit Information			
Is the permit on site and available? The site operator had not obtained a permit at the time of the inspection.		Date NOI Submitted: The site operator had not submitted a NOI at the time of the inspection.	
Effective Date (is 14 days after EPA acknowledges eNOI receipt, per CGP 1.4.2): The site has not submitted an NOI.		Expiration Date: The site has not submitted an NOI.	
Construction Start Date: unknown	Percent complete: unknown	Estimated Completion Date: unknown	
Disturbed Area: Approximately 40 acres	Total Project Area: Approximately 40 acres	Latitude: 47° 44' 20.04"N	Longitude: -102° 40' 28.55" W
Receiving Water(s): Boggy Creek which flows to Lake Sakakawea			
If applicable, is waiver certification & approval on file? Not Applicable			
Regulatory Inspector's source of information: GIS maps and EPA's Stormwater construction NOI website			

Site Information							
Nature of Project	Residential	Commercial/Industrial	Roadway	Private	Federal	State/Municipal	Other
Construction Stage	Clearing/Grubbing	Rough Grading	Infrastructure	Building Const.	Final Grading	Final Stabilization	

Federal NPDES Storm Water Inspection - Construction

Site Description and Inspection Details

The inspection was conducted at the Black Eagle Estates (the site) to determine Panther Developments Investments, LLC's compliance with the Federal stormwater construction general permit requirements. The inspection was unannounced. On August 28, 2014, at approximately 6:40 p.m., the Environmental Protection Agency (EPA) inspectors, Emilio Llamozas and Monia Ben-Khaled, stopped at the site and did a walk around. There were no site representatives at the time of the inspection. The EPA inspectors spoke to a contractor who was removing steel frames and loading them on a truck. The contractor did not have any information regarding the site's stormwater program..

According to measurements from geographical information system maps, the site was approximately 40 acres, with 40 acres of land disturbed. Stormwater from the site flows north to Boggy Creek which flows to Lake Sakakawea. The project consisted of single family homes. The homes appeared to be nearing completion and with work being done on the interior of some of the homes. Photos were taken of the disturbed area (photos 225 to 228). At the time of the inspection there appeared to be no stabilization of the disturbed areas. There was no one in charge of the construction onsite so it is unknown when the project commenced construction. There were some stormwater structural best management practices (BMPs) at the site (photos 226 to 228), but they appeared to be in need of maintenance. The site operator had not submitted a notice of intent (NOI) according to the EPA's stormwater construction NOI website.

After the inspection, a review of the rainfall recorded at the Keene 3 S, North Dakota weather station (this was the closest weather reporting station approximately 16 miles away from site) from the NOAA website was conducted. The weather station's rain-gage reported eighteen precipitation events greater than 0.25 inches from April 28, 2014 to August 28, 2014.

- April 28, 2014 at 0.60 inches;
- May 6, 2014 at 0.29 inches;
- May 7, 2014 at 0.35 inches;
- May 19, 2014 at 0.31 inches;
- May 28, 2014 at 0.52 inches;
- June 11, 2014 at 0.28 inches;
- June 18, 2014 at 0.55 inches;
- June 28, 2014 at 0.58 inches;
- June 29, 2014 at 0.32 inches;
- June 30, 2014 at 0.47 inches;
- July 1, 2014 at 0.37 inches;
- July 24, 2014 at 0.30 inches;
- July 25, 2014 at 0.40 inches;
- July 31, 2014 at 0.25 inches;
- August 5, 2014 at 0.31 inches;
- August 16, 2014 at 0.65 inches;
- August 23, 2014 at 0.67 inches; and
- August 24, 2014 at 0.37 inches.

2012 CGP Permit Eligibility

Federal NPDES Storm Water Inspection - Construction

General			Notes:
Is the construction site in an area with EPA Permitting Authority? (App. B. - Region 8: Colorado Federal Facilities and Tribal Lands)	Y		The construction site is located in the Ft Berthold reservation.
Does the site discharge to impaired waters for sediment, or sediment related parameters (i.e., TSS or turbidity) or nutrients (i.e., phosphorus/nitrogen) CGP 3.2, and then evaluate if information required by CGP 3.2.1 for to be include in NOI and the CGP 3.2.2 specific requirements.		N	
Is the site considered a "new source", with the reasonable potential to cause or contribute to an excursion above WQ standards; if so EPA would require an individual permit or further appropriate controls? CGP 1.2.2		N	
Does the operator use or plan to use Cationic Treatment Chemicals? If so, did the operator receive authorization from the Regional Office (place information in notes)? CGP 1.2.4	Unknown		

SWPPP Contents Review			
General			Notes:
Is there a SWPPP? CGP 7.1.1		N	The site operator did not submit an NOI to be covered under the stormwater construction permit at the time of the inspection.
Is a copy of the SWPPP onsite? (SWPPP Date) CGP 7.1.1 and 7.3		N	
Does the SWPPP contain the following: a) A copy of NOI submitted with any related documents; b) A copy of acknowledgement letter from NOI processing center; and c) A copy of this permit (can be an electronic copy). CGP and 7.2.1 and 7.2.16		N	
SWPPP completed prior to NOI submission? CGP 7.1.1		N	
Does the SWPPP identify the storm water team (by name or position)? CGP 7.2.1		N	

Federal NPDES Storm Water Inspection - Construction

Does each member of the storm water team have ready access to: a) A copy of the portions of the permit (pertaining to them), b) The most updated copy of the SWPPP, and c) Other relevant documents that must be kept with the SWPPP? CGP 7.2.1		N	
SWPPP identifies all operators and their areas of control? CGP 7.2.4.		N	
Does the SWPPP contain, or does the operator have a copy of permit language? CGP 7.2.1		N	
Did the operator(s) provide training to the staff below, prior to the commencement of earth-disturbing activities or pollutant-generating activities? CGP 7.2.13 a) Personnel who are responsible for the design, installation, maintenance, and/or repair of stormwater controls; b) Personnel responsible for the application and storage of treatment chemicals (if applicable); c) Personnel who are responsible for conducting inspections as required in CGP 4.1.1; and d) Personnel who are responsible for taking corrective actions as required in CGP Part 5. CGP 6 for minimum training requirements.		N	
Does the SWPPP contain the following documentation related to Federal requirements? CGP 7.2.14 a) Historic Preservation Documentation b) Endangered Species Documentation? c) Safe Drinking Water Act UIC for certain controls (as applicable)? d) TMDL Documentation?		N	
Did all "operators" sign/certify the SWPPP? CGP 7.2.15		N	
Was the SWPPP modified within 7 days in response to: a change in operators, operational control, inspections or investigations determine SWPPP modifications are necessary, or change in chemical treatment rate? Does it include:		N	

Federal NPDES Storm Water Inspection - Construction

date of modification, authorization of authorized official, and a brief summary of change? CGP 7.4			
Nature of Construction Activities: Site Description (per CGP 7.2.2) includes:			
a) Total area of site and total area to be disturbed (in acres)?		N	
b) Construction support activities covered by this permit (e.g., material storage areas, asphalt batch plants, etc) CGP 1.3		N	
c) Maximum area expected to be disturbed at any one time.		N	
Sequence and Estimated Dates of Construction Activities (CGP 7.2.5); the SWPPP must include (<i>when unforeseen site conditions necessitate change in timing/schedules this should be documented</i>):			
a) Installation of stormwater control measures, and when they will be made operational, (with explanation of sequence / schedule complies with CGP 2.1.1.3a as well as any departures from manufacturer specs pursuant to Part 2.1.1.3b;		N	
b) Commencement and duration of earth-disturbing activities;		N	
c) Cessation, temporarily or permanently, of construction activities on the site, or in designated portions of the site;		N	
d) Final or temporary stabilization of areas of exposed soil. The dates for stabilization must reflect the applicable deadlines to which you are subject in Part 2.2.1; and (CGP 2.2.1)		N	
e) Removal of temporary stormwater conveyances and other stormwater control measures, removal of construction equipment and vehicles, and cessation of any pollutant-generating activities.		N	
Does SWPPP contain a list and description of all the pollutant-generating activities? CGP 7.2.7.1		N	

Federal NPDES Storm Water Inspection - Construction

Does the SWPPP contain an inventory of pollutants or pollutant constituents (e.g., sediment, fertilizers and/or pesticides, paints, solvents, fuels) associated with each pollutant generating activity, which could be exposed to rainfall, or snowmelt, and could be discharged from your construction site. CGP 7.2.1.2		N	
Does the SWPPP identify all sources of allowable non-stormwater discharges listed in CGP 1.3d?		N	
Does the SWPPP contain the required <i>Buffer Documentation</i> related to CGP 2.1.2.1 for surface waters located with 50 feet of any earth disturbances? CGP 7.2.9		N	
Does the SWPPP contain the following Description of Stormwater Control Measures (CGP 7.2.10), including:			
a) Does the SWPPP describe all stormwater control measures that are or will be installed and maintained at the site to meet the requirements of Part 2?		N	
b) Does the SWPPP describe the use of treatment chemicals (e.g., polymers, flocculants, or other) CGP 7.2.10.2	Unkn wn		
c) Does the SWPPP describe the stabilization practices; (i.e., the specific vegetative and/or non-vegetative practices that will be used to comply with the requirements in Part 2.2)? CGP 7.2.10.3		N	
Does the SWPPP describe procedures the operator will follow to prevent and respond to spills and leaks? CGP 7.2.11.1		N	
Does the SWPPP describe procedures to handle and dispose of all wastes generated at the site (e.g., C&D debris, sediment removed from the site, construction and domestic waste, hazardous or toxic waste, and sanitary waste)? CGP 7.2.11.2		N	
Site Map (per CGP 7.2.6) includes boundaries of the property and where construction activities will occur, including:		N	
a) Locations where earth-disturbing activities will occur, noting any phasing of construction		N	

Federal NPDES Storm Water Inspection - Construction

activities;			
b) Approximate slopes before and after major grading activities. Note areas of steep slopes, as defined in Appendix A;		N	
c) Locations where sediment, soil, or other construction materials will be stockpiled;		N	
d) Locations of any crossings of surface waters;		N	
e) Designated points on the site where vehicles will exit onto paved roads;		N	
f) Locations of structures and other impervious surfaces upon completion of construction; and		N	
g) Locations of construction support activity areas covered by this permit (CGP 1.3.c).		N	
Locations of all surface waters, including wetlands, that exist within or in the immediate vicinity of the site. Indicate which waterbodies are listed as impaired? CGP 7.2.6.2		N	
The boundary lines of any natural buffers provided consistent with Part 2.1.2.1a CGP 7.2.6.3		N	
Areas of federally-listed critical habitat for endangered or threatened species? CGP 7.2.6.4		N	
Topography of the site, existing vegetative cover (e.g., forest, pasture, pavement, structures), and drainage pattern(s) of stormwater and authorized non-stormwater flow onto, over, and from the site property before and after major grading activities CGP 7.2.6.5		N	
Stormwater and allowable non-stormwater discharge locations, including: a) Locations of any storm drain inlets on the site and in the immediate vicinity of the site; and b) Locations where stormwater or allowable non-stormwater will be discharged to surface waters (including wetlands) on or near the site. CGP 7.2.6.6		N	

Federal NPDES Storm Water Inspection - Construction

Locations of all potential pollutant-generating activities identified in Part 7.2.7 (e.g., paving ops; concrete, paint, and stucco washout and waste disposal; solid waste storage and disposal; and dewatering operations.)		N	
Locations of stormwater control measures; and		N	
Locations where polymers, flocculants, or other treatment chemicals will be used and stored.	Unkno wn		

Federal NPDES Storm Water Inspection - Construction

<u>SWPPP Operator Conducted Inspections</u>		<u>Notes:</u>
Does the SWPPP identify personnel responsible for conducting inspections? CGP 7.2.12.1	N	The site operator did not submit an NOI to be covered under the stormwater construction permit at the time of the inspection.
Does the SWPPP contain a copy of the inspection or maintenance checklist to be used on site?	N	
Does the SWPPP identify the location of the rain-gauge/weather station used for the site? CGP 4.1.2.2 or CGP 4.1.3	N	
Does the SWPPP identify the inspection schedule? (Every 7 days, or every 14 days within 24 hours of a rain event greater than 0.25") CGP 4.1.2 (note reductions in frequency are available per the CGP 4.1.4, CGP 7.2.12.3 for SWPPP documentation for reduce frequency)	N	
If the site discharges to sensitive waters, does the frequency meet the requirements of the CGP Sec 4.1.3?	N	
Are the inspections conducted at the specified schedule? (note: it may be easiest if a mini-calendar and local/relevant weather information are used to evaluate frequency)	N	
Inspections performed by authorized and qualified personnel and are the authorization and qualifications in the SWPPP? CGP 4.1.1	N	
Does the inspection form used by the operator contain the required items? a) The inspection date; b) Names and titles of personnel making the inspection; c) A summary of inspection findings, (minimum CGP 4.1.6d) d) Rain gauge/weather-station information if using 14-day inspection frequency and inspection due to 0.25 inch rain-event; and e) If operator determined it was unsafe to inspect – they included a description of the reason and location. (CGP 4.1.7)	N	
Do the inspections include (per CGP 4.1.5) a) All Areas that have been cleared, graded, or excavated	N	

Federal NPDES Storm Water Inspection - Construction

SWPPP Operator Conducted Inspections	Notes:
<p>that are not yet stabilized;</p> <p>b) All stormwater controls installed at the site;</p> <p>c) All material, waste, borrow, or equipment storage/maintenance areas covered by the permit;</p> <p>d) All points of discharge* from the site; and</p> <p>e) All locations where stabilization measures have been implemented?</p> <p>* If a discharge is occurring during the operator's inspection it must be documented in accordance with CGP 4.1.6.6.</p>	
Did the inspection report identify all incidents of non-compliance observed? CGP 4.1.6	N
Inspection forms signed and certified by authorized personnel? CGP 4.1.7.2	N
Were the following "corrective actions" taken by the operator of the site (CGP 5.1), such as: repair, modify, or replace any stormwater control used at the site; clean up and properly dispose of spills, releases, or other deposits; or remedy a permit violation? If so,	N
a) Were the corrective action(s) taken within the deadlines specified in CGP 5.2? (i.e., reasonable time frame to minimize/prevent discharge)	N
b) For a corrective action not corrected immediately, was it corrected within 7 days? If not, was it documented within 7 days? CGP 5.2.1	N
c) Do the site inspection reports illustrate the operator is required to take has taken the above "corrective action(s)". If so, list the inspection report date(s).	N
d) Was a corrective action report completed within 24 hours that contains: the condition identified, the nature of the condition, and the date and time of the condition identified, and how it was identified. CGP 5.4.1	N

Federal NPDES Storm Water Inspection - Construction

SWPPP Operator Conducted Inspections			Notes:
e) Was a corrective action report completed within 7 days that contains: - Any follow-up actions taken to review the design, installation, and maintenance of stormwater controls, including the dates such actions occurred; - A summary of stormwater control modifications (with schedule/dates) - Notice of whether SWPPP modifications were required. CGP 5.4.2		N	
f) Is SWPPP and site map revised when BMPs added/modified within 7 days after completing corrective action work? CGP 5.2.2		N	
Are corrective action reports signed and certified by authorized personnel? CGP 5.4.3		N	
Does the SWPPP include an authorization letter (if a change was made by person other than NOI authorize official) for the individual making the change to the SWPPP? CGP 7.4.5 and Appendix I, part I.11.2		N	
Have copies of inspection reports/all other documentation been retained as part of the SWPPP for 3 years from date permit coverage expires? CGP 4.1.7.3 and 5.5.4		N	

Federal NPDES Storm Water Inspection - Construction

SWPPP Implementation (Site review)							
<u>Structural and Stabilization Practices</u>							
List and describe structural and stabilization practices							
	SWPPP / Site Map			Used On-Site			Comments
Silt Fence (perimeter)		N			N		
Buffer controls		N			N		
Silt Fence (other)		N			N		
Storm drain inlet protection		N		Y			The silt fence around the storm drain was falling. Debris and sediment were observed on the storm drain (photos 227 and 228).
Straw Wattles		N		Y			Straw wattles were observed on the north side of the site; and were in need of maintenance (photo 226).
Rock Socks		N			N		
Hay bales		N			N		
Sedimentation pond		N			N		
Outlet protection		N			N		
Rip rap		N			N		
Check dam		N			N		
Diversion structure		N			N		
Vehicle track-out pad		N			N		
Street cleaning		N			N		
Good housekeeping & waste disposal practices		N			N		
Equipment/ maintenance area		N			N		
Concrete or asphalt batch plant		N			N		
Concrete washout area		N			N		
Port-o-lets		N			N		
Existing vegetation		N			N		
Seeding		N			N		
Mulching		N			N		
Geotextiles		N			N		

Federal NPDES Storm Water Inspection - Construction

Sod stabilization		N			N		
Dewatering practices		N			N		

SWPPP Implementation (Site Review)	Notes:
<p>In this section and as part of the SWPPP review (as a preliminary review) and the field inspection, the inspector will review: required signage, discharge locations, stormwater controls, buffers, perimeter controls, entry control points, stockpiles, dust suppression, inlets, sedimentation ponds, dewatering locations, treatment chemicals (application locations), prohibited discharges (concrete washout, wastewater from washing, spills), equipment fueling and maintenance, washing of equipment, storage, handling and disposal of materials and wastes, spills, and fertilizer (application).</p>	
<p>Did the operator post a sign visible from the public road containing: NPDES Permit number and a contact name and phone number in a font large enough to be readily viewed from a public right-of-way? CGP Sec 1.5</p>	N
<p>Are stormwater runoff discharges from stormwater controls directed to vegetated areas of the site? CGP 2.1.1.2</p>	N
<p>Do the above discharges to vegetated areas contain velocity dissipation devices? CGP 2.1.1.2</p>	N
<p>Are down-gradient stormwater controls installed prior to each phase of earth-disturbance (unless infeasible)? CGP 2.1.1.3.a</p>	N
<p>Are all the stormwater controls installed according to manufacturer's specifications? CGP 2.1.1.3.b</p>	<div style="display: flex; justify-content: space-between;"> N <div style="width: 80%;"> <p>The silt fence around the storm drain was falling. Debris and sediment were observed on the storm drain (photos 227 and 228).</p> </div> </div>
<p>Are all stormwater controls maintained in proper working order? CGP 2.3.2</p>	<div style="display: flex; justify-content: space-between;"> N <div style="width: 80%;"> <p>The silt fence around the storm drain was falling. Debris and sediment were observed on the storm drain (photos 227 and 228).</p> </div> </div>
<p>From the site review, is the project within 50 feet of a surface water? (note stormwater conveyance channels, inlets, drains, etc. are not included as surface water) CGP 2.1.2</p>	N
<p>Are perimeter controls installed? CGP 2.1.2.2</p>	N
<p>Is track-out minimized through:</p> <ul style="list-style-type: none"> a) Vehicles being restricted through designated points; b) Use appropriate stabilization techniques (e.g., VTC pad) c) Where necessary additional controls (e.g., wheel washing, rubber strips, rattle plates); d) Has sediment tracked out been 	N

Federal NPDES Storm Water Inspection - Construction

SWPPP Implementation (Site Review)	Notes:		
removed by the end of the work day, CGP 2.1.2.3.d			
Stock piled soil and sediment controls must include: <ul style="list-style-type: none"> a) Are piles located outside natural buffers and physically separated from other erosion and sedimentation controls? b) Protection from contact with stormwater using temporary perimeter sediment barrier (e.g., berms, dikes, fiber rolls, silt fence, sandbags, straw bales, etc.); c) Where practical include cover or appropriate temporary stabilization; d) Unless infeasible contain and securely protect from wind. CGP 2.1.2.4		N	
Has the site minimized dust, through the use of water application or other dust suppression techniques?	Unknown		
Has the site (to all extents practical) minimized the disturbance of steep slopes? CGP 2.1.2.6		N	
Has the site protected the storm drain inlets (if they do not flow to a sedimentation pond first)? CGP 2.1.2.9, <i>note they may be removed in certain conditions.</i>		N	
Has the site (if feasible) preserved the top-soil on the site? CGP 2.1.2.7	Unknown		
Has the site minimized soil compaction in areas where final stabilization or infiltration practices will occur?	Unknown		
If the site uses a sedimentation basin, is it designed/constructed and maintained as required in CGP 2.1.3.2?	N/A		There was no sediment basin at the time of the inspection.
If the site uses treatment chemicals are they used in accordance with CGP 2.1.3.3?	Unknown		
If the site uses dewatering practices are they conducted in accordance with 2.1.3.4?	Unknown		
Are stabilization practices for the site conducted in accordance with CGP 2.2?		N	The site was not stabilized at the time of the inspection (photos 225 to 228).
Were any prohibited discharges observed during the inspection? CGP 2.3.1		N	

Federal NPDES Storm Water Inspection - Construction

SWPPP Implementation (Site Review)		Notes:
Does the site have spill clean-up supplies available on-site? CGP 2.3.3.1	Unknown	
Are spill pans/pads used under leaky equipment/vehicles? CGP 2.3.3.1	Unknown	
Were spills cleaned up immediately using dry-cleanup measures? CGP 2.3.3.1	Unknown	
Is vehicle/equipment washing done in accordance with the CGP? CGP 2.3.3.2	Unknown	
Are materials properly managed and stored on-site? CGP 2.3.3.3	Unknown	
Are fertilizers (containing phosphorus and nitrogen) properly applied to the site? CGP 2.3.5	Unknown	

SWPPP Implementation (Site Review)	
<u>Stabilization Practices</u>	
Any unprotected/ exposed slopes/areas without vegetation mulch or matting for more than 14 days after construction activity has ceased? CGP 2.2.1	Unknown. The site was not stabilized at the time of the inspection (photos 225 to 228).
Are stabilization practices properly applied in a timely manner and adequately maintained? CGP 2.2.1	The site was not stabilized at the time of the inspection (photos 225 to 228).

<u>Structural Practices</u>	
Are structural controls properly installed and maintained? CGP 2.3.2	The silt fence around the storm drain was falling. Debris and sediment were observed on the storm drain (photos 227 and 228).
Discuss how the structural controls are, or are not appropriate for the site	The site appeared in need of stabilization practices.



Photographs for Black Eagle Estates Inspection Type: Construction-Stormwater

Photo Number: 225

Photo Date/Time: 8/28/2014 6:50:34 PM

Photographer: Monia Ben-Khaled

The direction of the photo is West.

Description:

An overview of a stormwater discharge area on the west side of the Black Eagle Estates Construction site.



Photo Number: 226

Photo Date/Time: 8/28/2014 6:52:28 PM

Photographer: Monia Ben-Khaled

The direction of the photo is South.

Description:

An overview of the northwest side of the Black Eagle Estates construction site. Note the straw wattles and the stormwater drain inlet. The installed BMPs do not appear to be maintained. Note the stockpile and all the water and sediment flowing into the stormwater drain area.





Photographs for Black Eagle Estates

Inspection Type: Construction-Stormwater

Photo Number: 227

Photo Date/Time: 8/28/2014 6:53:58 PM

Photographer: Monia Ben-Khaled

The direction of the photo is South.

Description:

A close-up view of the stormwater drain shown in photo 226. Note the sediment and debris on the stormwater drain inlet.



Photo Number: 228

Photo Date/Time: 8/28/2014 6:54:30 PM

Photographer: Monia Ben-Khaled

The direction of the photo is South.

Description:

Another close-up view of the stormwater drain inlet shown in photo 226. Note the falling silt fence around the stormwater drain inlet allowing sediment and debris to get into the drain.





Photographs for Black Eagle Estates

Inspection Type: Construction-Stormwater

Photo Number: 229

Photo Date/Time: 8/28/2014 6:58:54 PM

Photographer: Monia Ben-Khaled

Description:

A sign outside the Black Estates construction site.

